

D-21377

AUG 30 2005

- 1 -

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/671,555

Group Art Unit: 1621

Inventors: Marrella et al.

Filed: September 29, 2003

Title: PROCESS STREAM CONDENSATE
RECYCLE METHOD FOR A
STEAM REFORMER

Examiner: Not Assigned

PETITION TO WITHDRAW HOLDING OF
ABANDONMENT UNDER 37 C.F.R. §1.181(a)VIA FAX - (571) 273-8300 - Total Pages = 12
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450RECEIVED
OIPE/IAP

AUG 31 2005

Sir:

1. Applicants hereby petition under 37 C.F.R. §1.181(a) requesting withdrawing of the holding of abandonment revival of the above-identified application.
2. This petition is being made within two months of the date of mailing of the Notice of Abandonment, namely, August 17, 2005.
3. There is no petition fee required for the within petition period.
4. The undersigned attorney, the attorney of record for the Applicants, hereby makes the following showing that the application was not in fact abandoned and the withholding of abandonment was in error.
 - a) On December 22, 2003 a Notice to File Missing Parts of Non Provisional Application was mailed to the undersigned, indicating that the Oath and Declaration was missing from the application as originally filed. A copy of such Notice is attached hereto as Exhibit A.
 - b) The Declaration was duly submitted to the Patent Office and timely received on January 8, 2004, less than two months of the date of the filing of the Notice. A copy of the cover letter (Exhibit B), a copy of the Declaration (Exhibit C) and a copy of the post card received from the Patent Office (Exhibit D) is attached hereto
 - c) On November 12, 2004 a second Notice to File Missing Parts for the Non Provisional Application was again sent to Applicants' attorney. A copy of such Notice is attached hereto as Exhibit E.
 - d) In reply to said Notice a copy of the postcard was submitted to the Patent Office shown in Exhibit F.

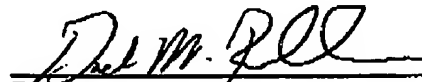
D-21377

- 2 -

e) Thereafter a Mr. John Dill requested a copy of the Declaration and Power of Attorney which was duly sent by facsimile on January 20, 2005 (see Exhibit G).

5. Consequently, the Declaration was sent in a timely manner and the withholding of abandonment is an error and the application should be revived.

Respectfully submitted,



David M. Rosenblum
Attorney for Applicants
Reg. No. 29,341

Praxair, Inc.
39 Old Ridgebury Road
Danbury, CT 06810-5113
Phone: (203) 837-2116

Date: August 30, 2005

*Notice of Abandonment letter dated 8/17/05 is attached.

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on August 30, 2005

Typed or printed name of person signing this certificate:

CHRISTINA MOMMENS

Signature: Christina Mommens

AUG 3 0 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1418
Alexandria, Virginia 22313-1418
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/671,555	09/29/2003	Vincenzo Salvatore Martella	RD-21377

REC'D AUG 2 2 2005

CONFIRMATION NO. 4277
ABANDONMENT/TERMINATION
LETTER

27182
PRAXAIR, INC.
LAW DEPARTMENT - M1 557
39 OLD RIDGEBURY ROAD
DANBURY, CT 06810-5113

Date Mailed: 08/17/2005

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 11/12/2004.

- No reply was received.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item (s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP §§ 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

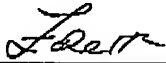
Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(f); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-

identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (571) 272-3282.

A copy of this notice MUST be returned with the reply.



Office of Initial Patent Examination (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

AUG 30 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (e) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/671,555	09/29/2003	Vincenzo Salvatore Marrella	D-21377

27182
PRAXAIR, INC.,
LAW DEPARTMENT - M1 557
39 OLD RIDGEBURY ROAD
DANBURY, CT 06810-5113

CONFIRMATION NO. 4277

FORMALITIES LETTER



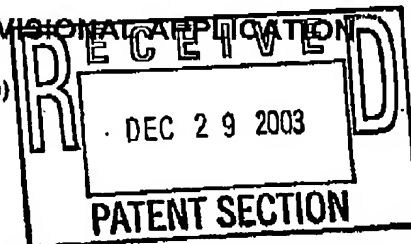
OC000000011545224

Date Mailed: 12/22/2003

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

88-30-05

13:36

FROM-Praxair, Inc.

+2038372515

T-520

P.006/012

F-456

Haimant Tegbaru

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Exhibit "B"

In re application of: Marrella

Filed: September 29, 2003

Serial No.: 10/671,555

Inventor: Marrella

Title: PROCESS STREAM CONDENSATE
RECYCLE METHOD FOR A STREAM REFORMERCOMPLETION OF PATENT APPLICATION UNDER 37 CFR 1.53(d)COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450Attn: BOX MISSING PARTS

Sir:

Transmitted herewith for completing the filing of this application is/are:

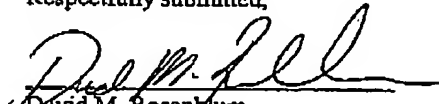
- ☒ Declaration executed by the inventor(s).
☐ The filing fee, calculated as follows:

FOR	(Col. 1) No. Filed	(Col. 2) No. Extra	Rate	Fee
Basic Fee			770 =	\$
Total Claims	- 20=	*	x 18 =	\$
Independent Claims	- 3=	*	x 86 =	\$
<input type="checkbox"/> Multiple Dependent claims presented			+ \$290 =	\$
* If the amount in Col. 1 is negative, enter "0" in Col. 2			FILING FEE	\$
<input checked="" type="checkbox"/> Surcharge as set forth in 37 CFR 1.16(e)				130
TOTAL				\$ 130

- ☒ Charge \$130.00 to Deposit Account No. 16-2440 for this filing fee/surcharge. A duplicate copy of this sheet is enclosed for this purpose.
- ☒ Please charge any additional filing fees/surcharge which may be required by this paper, or credit any overpayment, to Deposit Account No. 16-2440. A duplicate copy of this sheet is enclosed for this purpose.
- ☐ Also transmitted herewith is/are:
- ☐ Formal Drawing(s) _____ sheet(s)
- ☐ _____

Our Ref: D-21377
 Danbury, Connecticut 06810-5113
 Date: January 7, 2004
 Telephone No. (203) 837-2116

Respectfully submitted,


 David M. Rosenblum
 Attorney for Applicants
 Reg. No. 29,341

Completion of Patent.doc

Exhibit "C"

DECLARATION AND POWER OF ATTORNEY Original Application

 ATTORNEY'S DOCKET NO.
D-21377

As a below named inventor, I declare that I have reviewed and understand the contents of the specification, including the claims, as amended by any amendment specifically referred to in this Declaration, that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 201 below, or a joint inventor if plural inventors are named below at 201 et seq., of the invention entitled:

PROCESS STREAM CONDENSATE RECYCLE METHOD FOR A STEAM REFORMER

which is described and claimed in:

☒ the attached specification or
☒ the specification in application Serial No. 10/671,555 filed 9/29/03 amended _____
 (for declaration not accompanying application) (Day, Month, Year) (Day, Month, Year)

that I acknowledge a duty to disclose information I am aware of which is material to the patentability of this application in accordance with 37 CFR 1.56(a), that I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application and that as to applications for patent or inventor's certificate filed by me or my legal representatives or assigns in any country foreign to the United States of America, the earliest filed foreign application(s) filed within twelve months prior to the filing date of this application and all foreign applications filed more than twelve months prior to the filing date of this application are identified at 600, and, as required, 601 below.

CHECK APPROPRIATE BOX:

600

- ☒ No earlier-filed applications
☐ Required information as to foreign applications filed prior to filing date of this application is at 601 on page 2 attached hereto and made a part hereof.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

 Donald T. Black
 Gerald L. Coon
 Stanley Ktorides

 Reg. No. 27999
 Reg. No. 29910
 Reg. No. 29399

 David M. Rosenblum
 Iurie A. Schwartz
 Steven T. Trinker

 Reg. No. 29341
 Reg. No. 43909
 Reg. No. 28274

SEND CORRESPONDENCE TO:

 PRAXAIR TECHNOLOGY, INC.
 Law Department M1-557
 39 Old Ridgebury Road
 Danbury, CT 06810-5113

DIRECT TELEPHONE CALLS TO:

David M. Rosenblum (203) 837-2116

201	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
		Marrella	Vincenzo	Salvatore
	RESIDENCE CITY	STATE OR FOREIGN COUNTRY		COUNTRY OF CITIZENSHIP
		New York		Canada
202	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
		Francis II	Alfred	Joseph
	RESIDENCE CITY	STATE OR FOREIGN COUNTRY		COUNTRY OF CITIZENSHIP
		CT		USA
203	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
		Fenner	Gary	Wayne
	RESIDENCE CITY	STATE OR FOREIGN COUNTRY		COUNTRY OF CITIZENSHIP
		New York		USA
300	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
	59 Taverly	Williamsville	New York	14221
	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
	41 Snipsic Lake Road	Ellington	CT	06029
300	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
	80 Birkshire Drive	Grand Island	New York	14072
	<input type="checkbox"/> Additional matter on page 2 attached hereto and made a part hereof. When page 2 is used, all signatures must be signed on page 2.			
	List of Applicants continued on page 2 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202	SIGNATURE OF INVENTOR 203
<i>Vincenzo Salvatore Marrella</i>	<i>Alfred Joseph Francis II</i>	<i>Gary Wayne Fenner</i>
DATE	DATE	DATE
10/31/2003	11/21/2003	11/12/2003

08-30-05

13:37

FROM-Praxair, Inc.

+2038372515

T-520 P.009/012 F-456

File in "CENTER"

Exhibit "D"

Hon. Commissioner of Patents & Trademarks

DMR

Washington, D.C. 20231

Sir,
Attached hereto is Declaration

dated 1/7/04 in the application Marrella et al.

Serial No. 10/671,555 for PROCESS STREAM CONDENSATE RECYCLE
METHOD FOR A STEAM REFORMER

Kindly have the Mail Division of the Patent Office stamp this card and return it to us,
to indicate the receipt of the attached paper.

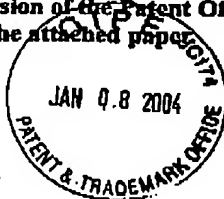
Docket No.

D-21377

PI 361-10C

Respectfully,

PRAXAIR, INC.
LAW DEPARTMENT - Patent Dept.



AUG 30 2005

Exhibit "E" DMK



UNITED STATES PATENT AND TRADEMARK OFFICE

 UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (a) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/671,555	09/29/2003	Vincenzo Salvatore Marrella	D-21377

 27182
 PRAXAIR, INC.
 LAW DEPARTMENT - M1 557
 39 OLD RIDGEBURY ROAD
 DANBURY, CT 06810-5113

 CONFIRMATION NO. 4277
 RECEIVED NOV 10 2004
 FORMALITIES LETTER
 OC000000014352912

Date Mailed: 11/12/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Sent in error

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

ply.

 OFFICIAL ACTION
 NORMAL TERM EXPIRES 1-12-05
 STATUTORY DUE DATE 5-12-05

D-21377

"Exhibit F"

- 1 -

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/671,555

Group Art Unit: 1621

Inventors: Marrella et al.

Filed: September 29, 2003

Title: Process Stream Condensate
Recycle Method For A
Steam Reformer

Examiner: Not Assigned

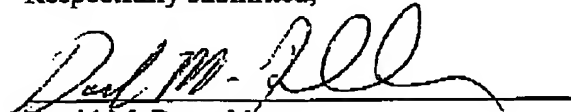
LETTERCommissioner for Patents
P.O. Box 1450
Washington, DC 22313-1450

Sir:

We believe the Notice To File Missing Parts of Nonprovisional Application dated November 12, 2004 was sent to us in error. The Declaration pertaining to this case was filed in the USPTO on January 8, 2004. Please see the attached postcard indicating the January 8th filing date.

Please advise if we need to do anything further on our end.

Respectfully submitted,


David M. Rosenblum
Attorney for Applicants
Reg. No. 29,341Praxair, Inc.
39 Old Ridgebury Road
Danbury, CT 06810-5113
Phone: (203) 837-2116

Date: December 10, 2004

08-30-05

13:37

FROM-Praxair, Inc.

+2038372515

T-520 P.012/012 F-456

MEMORY TRANSMISSION REPORT

Exhibit "6"

PAGE : 001
TIME : JAN-20-05 09:57AM
TEL NUMBER:
NAME : praxair

FILE NUMBER : 418
DATE : JAN-20 09:55AM
TO : 2917037466606
DOCUMENT PAGES : 002
START TIME : JAN-20 09:56AM
END TIME : JAN-20 09:57AM
SENT PAGES : 002
STATUS : OK

FILE NUMBER : 418

*** SUCCESSFUL TX NOTICE ***

D-21377

- 1 -

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/671,555

Group Art Unit 1621

Inventors: Merrell et al.

Filed: September 29, 2003

Title: Process Steam Condensate
Recycle Method For A
Steam Reformer

Examiner: Not Assigned

FACSIMILE TRANSMITTING
COPY OF DECLARATION

VIA FAX - (703) 746-6606
Mr. John Dill
P.O. Box 1450
Washington, DC 22813-1450

Dear Mr. Dill:

As requested, attached is a copy of the Declaration and Power of Attorney
for the above-referenced Serial No.

Should you require anything further, please do not hesitate to contact the
undersigned.

Respectfully submitted,


David M. Rosenblum
Attorney for Applicants
Reg. No. 29,341

Praxair, Inc.
39 Old Ridgebury Road
Danbury, CT 06810-5113
Phone: (203) 837-2116

Date: January 18, 2005